

APPLICANT: Horan, et al. : BEFORE THE PRIMARY
U.S. Serial No. 09/470,360 : EXAMINER: T. Victor OH
FILING DATE: December 22, 1999 :
RE: PROCESS IMPROVEMENT FOR : GROUP ART UNIT: 1621
CONTINUOUS ETHYL ACETATE :
PRODUCTION :

#19
JPS/3/03

Per Fax Transmission to no. 703-308-4556
Hon. Commissioner of Patents
Washington, D.C. 20231

Applicant's Docket No. C-7197

REQUEST FOR RECONSIDERATION

Dear Sir:

This submission is responsive to the Final Office Action mailed February 26, 2002. Reconsideration of this Application is requested in view of the following Remarks.

REMARKS

Rejections Under 35 U.S.C. § 103

The Final Office Action maintains the same obviousness rejections based upon a combination of the Papa and Spiske references as asserted in the previous Office Action.

An important distinction between the claimed process and the process of Papa, not addressed in the Final Office Action, is that the claimed process recites that a portion of organic phase (**product ester**) recovered in the first distillation is directed to the reaction zone. Not only does Papa fail to teach or suggest recovering an organic phase from the first distillation, the organic phase recovered from the second distillation and routed to the reaction zone is a **reactant**.

In the claimed process, "ethyl acetate" is recovered from the first distillation and then directed to the reaction zone as an azetroping agent. This is important because the reaction to produce ethyl acetate produces more water than can be removed in an ethyl acetate/water azetrope. Therefore, the ethyl acetate product serves as an azetroping agent to remove water from the reaction mixture. It is important to note that the ethyl acetate is a **product** and not a **reactant** for esterification.

Papa teaches only recovering an unreacted carboxylic acid from the second distillation and routing it to the reaction zone to react with an alcohol to produce an ester.

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. C-7197
Applicant(s): Horan et al.			
Serial No. 09/470,360	Filing Date December 22, 1999	Examiner T. Victor OH	Group Art Unit 1625
Invention: PROCESS IMPROVEMENT FOR CONTINUOUS ETHYL ACETATE PRODUCTION			
FAX RECEIVED			
OFFICIAL			
MAY 14 2003			
GROUP 1600			
I hereby certify that this <u>1) Request for Reconsideration (2 pgs) & 2) Notice of Appeal (1 pg)</u>			
<small>(Identify type of correspondence)</small>			
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-308-4556</u>)			
on <u>May 13, 2003</u>			
<small>(Date)</small>			
Ursula K. FISHER			
<small>(Typed or Printed Name of Person Signing Certificate)</small>			
<u>Ursula K Fisher</u>			
<small>(Signature)</small>			
Note: Each paper must have its own certificate of mailing.			

P18/REV01